



# CITY OF EL MONTE

## CITY CLERK'S OFFICE

City Clerk  
LORENE GUTIERREZ

Chief Deputy City Clerk/  
Records Manager  
M. HELEN LOPEZ, CMC

July 28, 2008

Ms. Sachi A. Hamai, Executive Officer  
Board of Supervisors, County of Los Angeles  
500 Kenneth Hahn Hall of Administration, Room 383  
Los Angeles, California 90012

Phone: (213) 974-1411  
Fax: (213) 620-0636

Dear Ms. Sachi A. Hamai:

Enclosed is a certified copy of the following resolutions, which were adopted at adjourned regular meeting of the El Monte City Council meeting, held on July 22, 2008.

1. Resolution No. 8939, Requesting that the Board of Supervisors for the County of Los Angeles approve consolidation of an El Monte Special Municipal Election to be held on Tuesday, **November 4, 2008** with the County – Administered General Election of the same date.
2. Resolution No. 8940, Requesting the Board of Supervisors of the County of Los Angeles and the Registrar-Recorder/County Clerk for the County of Los Angeles to Render Specific Services and Consolidated Election Services to the City relating to the conduct of the City's Special Municipal Election of Tuesday, **November 4, 2008** which is to be consolidated with the County – Administered General Election of the same date.
3. Resolution No. 8941, Setting Priorities for Filing Written Arguments and Rebuttals regarding City of El Monte Measures and directing the City of El Monte, City Attorney to prepare an Impartial Analysis.
4. Resolution No. 8942, Declaring a Fiscal Emergency and Calling and Giving Notice of a Special General Municipal Election to be held **November 4, 2008** to submit to the voters of the City of El Monte a question relating to the enactment of a 0.50% General Transactions and Use Tax.

It is the intent and desire of the El Monte City Council to **please** have the letter designation given to the measure is the following: **Measure "A"**. If an alternate letter is needed, please designate the letter "E".

If you need any additional information, please do not hesitate to contact this office Monday through Thursday, between the hours of 7:00 a.m. – 5:30 p.m. at (626) 580-2020.

Sincerely,

A handwritten signature in cursive script that reads "M. Helen Lopez".

M. Helen Lopez, CMC  
Chief Deputy City Clerk/Records Manager

Cc: Mr. Dean C. Logan, Acting Registrar-Recorder/County Clerk  
Election Coordination section  
12400 E. Imperial Highway, 3<sup>rd</sup> Floor, Room 3207  
Norwalk, California 90650  
Phone: (562) 462-2632  
Fax: (562) 406-2658

Cc: Ms. Cynthia Taylor / Ms. Maria Alfonso  
Election Planning Section  
12400 E. Imperial Highway, 2<sup>nd</sup> Floor, Room 2013  
Norwalk, California 90650  
Phone: (562) 462-2317  
Fax: (562) 462-466-6025



STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF EL MONTE            )

I, M. HELEN LOPEZ, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct original City Council Resolution No. 8939, approved at the adjourned regular July 22, 2008, El Monte City Council meeting.



Chief Deputy City Clerk/  
Records Manager, El Monte, California

A RESOLUTION OF THE EL MONTE CITY COUNCIL  
REQUESTING THAT THE BOARD OF SUPERVISORS FOR THE  
COUNTY OF LOS ANGELES APPROVE CONSOLIDATION OF  
AN EL MONTE SPECIAL MUNICIPAL ELECTION TO BE HELD  
ON NOVEMBER 4, 2008 WITH THE COUNTY-ADMINISTERED  
GENERAL ELECTION OF THE SAME DAY

WHEREAS, the City Council of the City of El Monte has called a Special Municipal Election to be held on the day of the County-administered General Election of November 4, 2008; and

WHEREAS, the City Council is submitting to the qualified voters of the City of El Monte an Ordinance to adopt a one half of one percent ( $\frac{1}{2}\%$ ) general transactions and use tax; and

WHEREAS, the budget of the City of El Monte, like the budgets of municipalities throughout the State of California, has been strained and stressed in recent years by a succession of adverse economic and legislative developments, including the stagnant national economy, a depressed housing market, inflated prices for gas and construction materials, increased costs for municipal services as well as State take-a-ways and regulatory mandates; and

WHEREAS, in response to these ongoing fiscal stresses, City Departments have worked diligently under the City Manager's Office and the City's Finance Division to reduce departmental expenditures and implement strategies for greater cost efficiency; and

WHEREAS, the City has implemented a number of cost-saving measures, including the elimination of or scaling down of certain City programs; the implementation of a hard hiring freeze; the close-out of certain positions vacated through retirement; the reorganization of certain departments to achieve great cost efficiency; the implementation of a consolidated purchasing and public contract bidding system to insure the City receives the best price for services and products purchased; and the refinancing of outstanding debt; and

WHEREAS, budget-cutting alone is not sufficient to address long term issues of fiscal solvency -- not without significantly eroding the City's ability to maintain vital infrastructure and provide essential municipal services and programs; and

WHEREAS, the City, despite significant improvements in its fiscal accountability, is at imminent risk of operating paycheck to paycheck given increased prices for materials and ever increasing service demands -- leaving the City, like many others in California, with inadequate funding to address essential public safety and basic service needs; and

WHEREAS, without an immediate source of new revenue, the City will be forced to deplete general fund reserves and reduce basic infrastructure maintenance and operations (e.g. pot hole repair and other basic road and sidewalk maintenance; public landscaping and lighting; graffiti removal etc.); and delay urgently needed long run infrastructure improvements (e.g. improvements to City storm drain systems to comply with State mandates aimed at reducing the amount of pollutants that enter the storm drain system); and

WHEREAS, without an immediate source of new revenue, the City will be forced to scale back various public safety services, including a reduction in police officers and the elimination of a fire station; and

WHEREAS, without an immediate source of new revenue, the City will be forced to scale back other basic services such as park and recreational programs that benefits the City's youth and the City's elderly populations; and

WHEREAS, a local transactions and use tax measure will allow the City to maintain and preserve basic community services and infrastructure obligations during the current economic downturn and will also allow the City to build up critical operating reserves; and

WHEREAS, the City's fiscal crisis herein describe is of sufficient gravity and severity that the City must at the earliest feasible juncture propose revenue enhancement measures to the electorate in order to maintain, to the extent possible, the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City's residents, workers and visitors; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the County-administered General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the Registrar-Recorder/County Clerk for the County of Los Angeles canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were part and parcel of the County-administered General Election; and

WHEREAS, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles to effect such consolidation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, it is respectfully requested that the Board of Supervisors of the County of Los Angeles (the "Board of Supervisors") consent and agree to the consolidation of the City of El Monte's November 4, 2008 Special Municipal Election with the County-administered General Election of the same date.

SECTION 2. The El Monte Special Municipal Election shall be for the purpose of submitting to El Monte voters the following ballot measure question:

<b>A</b> <b>Essential City Services Preservation and Protection Measure.</b> To preserve and maintain funding for essential city services, including fire and other emergency response services, pothole repair, street and storm drain maintenance, graffiti removal, on-duty police staffing, street lighting, park maintenance, emergency reserves maintenance and other general city services, shall an ordinance establishing a temporary transactions (sales) and use tax of one-half of one percent (½%) for a period of five years be adopted.	YES
	NO

SECTION 3. That it is also respectfully requested that the Board of Supervisors authorize and direct the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles (the "County Registrar") to canvass the returns of the consolidated El Monte Special Municipal Election and that said election be held in all respects as if it were part and parcel of the County-administered General Election of the same date.

SECTION 4. That it is further respectfully requested that the Board of Supervisors authorize and direct the County Registrar to:

- a) Print and supply ballots for the El Monte Special Municipal Election;
- b) Mail the ballot question, ballot arguments, rebuttals and the City Attorney's Impartial Analysis to the registered voters in the City of El Monte.


SECTION 5. It is also respectfully requested that the Board of Supervisors issue instructions to the County Registrar to take any and all additional steps necessary for the holding of the consolidate election requested above.

SECTION 6. That the City Council, recognizing that additional costs may be incurred by the County of Los Angeles by reason of consolidation, agrees to reimburse the County for any such costs.

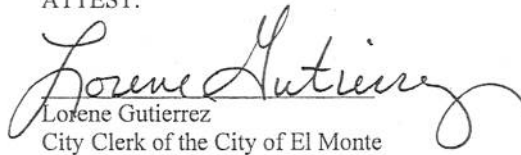
SECTION 7. That the El Monte City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Clerk along with a certified copy of the resolution calling the November 4, 2008 Special Municipal Election.

SECTION 8. That the El Monte City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolution.

PASSED, APPROVED AND ADOPTED ON this 22nd day of July, 2008.

  
Ernest G. Gutierrez  
Mayor of the City of El Monte

ATTEST:

  
Lorene Gutierrez  
City Clerk of the City of El Monte

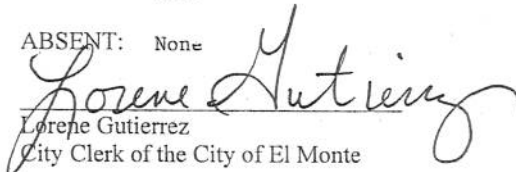
STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    )    SS:  
CITY OF EL MONTE            )

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 8939 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 22nd day of July, 2008 and that said resolution was adopted by the following vote, to-wit:

AYES: Mayor Gutierrez, Mayor Pro-Tem Gomez, Councilman Barrios,  
Councilwoman Ishigaki and Councilwoman Wallach

NOES: None

ABSENT: None

  
Lorene Gutierrez  
City Clerk of the City of El Monte



STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF EL MONTE            )

I, M. HELEN LOPEZ, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct original City Council Resolution No. 8940, approved at the adjourned regular July 22, 2008, El Monte City Council meeting.

Chief Deputy City Clerk/  
Records Manager, El Monte, California

RESOLUTION NO. .8940

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AND THE REGISTRAR-RECORDER/COUNTY CLERK FOR THE COUNTY OF LOS ANGELES TO RENDER SPECIFIC SERVICES AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATING TO THE CONDUCT OF THE CITY'S SPECIAL MUNICIPAL ELECTION OF TUESDAY, NOVEMBER 4, 2008 WHICH IS TO BE CONSOLIDATED WITH THE COUNTY-ADMINISTERED GENERAL ELECTION OF THE SAME DATE

WHEREAS, a Special Municipal Election is to be held in the City of El Monte, California (hereinafter, the "City"), on Tuesday, November 4, 2008; and

WHEREAS, the El Monte City Council passed and approved Resolution No. 8939 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's Special Municipal Election with the County-administered General Election to be held Tuesday, November 4, 2008; and

WHEREAS, all necessary expenses incurred by the County in performing these services shall be compensated by the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby requests that the Registrar-Recorder/County Clerk for the County of Los Angeles (hereinafter, the "County Clerk"), in cooperation with the City, be authorized and directed to plan for, coordinate and administer the Special Municipal Election of the City to be held on Tuesday, November 4, 2008 as part of the County's overall planning, coordination and administration of the General Election to be held on the same date.

SECTION 2. In connection with the City's consolidated November 4, 2008 Special Municipal Election, the City Council further requests that the County Clerk be authorized and directed to (a) review and verify absentee voter applications and signatures; and (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed Special Municipal Election ballot measure; (c) provide the City with the appropriate election precincting data, to the extent required, in light of consolidation; (d) make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisors' August 3, 2004 election consolidation approval; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City's sample ballots, including ballot measure questions, arguments, rebuttals and impartial analyses; and (h) administer the City's consolidated Special Municipal Election in all respects as if it were part and parcel of the County-administered General Election of the same date, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

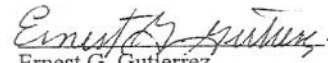
SECTION 3. As stated in El Monte City Council Resolution 8939, the City shall reimburse the County for any additional costs associated with the consolidation of the City's November 4, 2008 Special Municipal Election with the County-administered General Election of the same date.



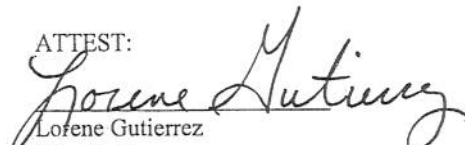
SECTION 4. The City Clerk is authorized and directed to forward without delay to the Board of Supervisors and to the County Clerk, each a certified copy of this Resolution.

SECTION 5. The City Clerk shall certify to the passage and adoption of this Resolution. This Resolution shall take effect upon adoption.

PASSED, APPROVED AND ADOPTED this 22nd day of July, 2008.

  
Ernest G. Gutierrez  
Mayor of the City of El Monte

ATTEST:

  
Lorene Gutierrez  
City Clerk

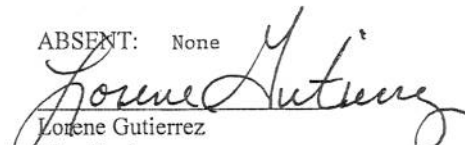
STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )    SS:  
CITY OF EL MONTE            )

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 8940 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 22nd day of July, 2008 and that said resolution was adopted by the following vote, to-wit:

AYES: Mayor Gutierrez, Mayor Pro-Tem Gomez, Councilman Barrios,  
Councilwoman Ishigaki and Councilwoman Wallach

NOES: None

ABSENT: None

  
Lorene Gutierrez  
City Clerk



STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF EL MONTE            )

I, M. HELEN LOPEZ, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct original City Council Resolution No. 8941, approved at the adjourned regular July 22, 2008, El Monte City Council meeting.

Chief Deputy City Clerk/  
Records Manager, El Monte, California

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND REBUTTALS REGARDING CITY MEASURES AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, the California Elections Code Sections 9280 *et seq.* sets forth the procedures and requirements for the preparation and submission of ballot arguments and corresponding rebuttal arguments in connection with City-initiated ballot measures; and

WHEREAS, a Special Municipal Election on Tuesday, November 4, 2008 has been called by Resolution No. 8942, at which there will be submitted to the voters the following measures:

<p><b>A</b></p> <p><b>Essential City Services Preservation and Protection Measure.</b></p> <p>To preserve and maintain funding for essential city services, including fire and other emergency response services, pothole repair, street and storm drain maintenance, graffiti removal, on-duty police staffing, street lighting, park maintenance, emergency reserves maintenance and other general city services, shall an ordinance establishing a temporary transactions (sales) and use tax of one-half of one percent (½%) for a period of five years be adopted.</p>	YES
	NO

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. That the City Council authorizes any and all members of the City Council to file a written argument(s) In Favor of or Against City measures, accompanied by the printed names and signatures of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code (Elections Code Section 9280 *et seq.*) and to change the argument(s) until and including the close of business on August 18, 2008 after which no arguments for or against the City measures may be submitted to the City Clerk.

SECTION 2. Pursuant to Section 9285 of the California Elections Code, when the elections official has selected the arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the proposition to the authors of any argument against the measure and a copy of an argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

SECTION 3. The author or a majority of the authors of an argument relating to a City measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument may not be signed by more than five.

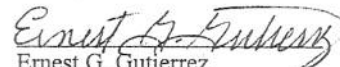
SECTION 4. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers no later than the close of business on August 28, 2008; after such time no rebuttal arguments shall be accepted. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument. Rebuttal arguments shall be printed in the same manner as the direct

arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 5. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney, unless the organization or salaries of the office of the City Attorney are affected. The City Attorney shall prepare an impartial analysis of the measure showing the effect of the measure on existing law and the operation of the measure. If the measure affects the organization or salaries of the office of the City Attorney, the City Clerk shall prepare the impartial analysis. The impartial analysis shall be filed by August 28, 2008 with the City Clerk for the filing of primary arguments.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution which shall be effective upon its adoption.

PASSED, APPROVED AND ADOPTED this 22nd day of July, 2008.

  
Ernest G. Gutierrez  
Mayor of the City of El Monte

ATTEST:

  
Lorene Gutierrez  
City Clerk

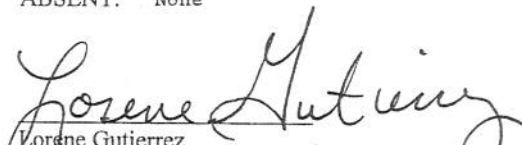
STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )    SS:  
CITY OF EL MONTE            )

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 8941 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 22nd day of July, 2008 and that said resolution was adopted by the following vote, to-wit:

AYES: Mayor Gutierrez, Mayor Pro-Tem Gomez, Councilman Barrios  
Councilwoman Ishigaki and Councilwoman Wallach

NOES: None

ABSENT: None

  
Lorene Gutierrez  
City Clerk



STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF EL MONTE            )

I, M. HELEN LOPEZ, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct original City Council Resolution No. 8942, approved at the adjourned regular July 22, 2008, El Monte City Council meeting.

Chief Deputy City Clerk/  
Records Manager, El Monte, California

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
EL MONTE DECLARING A FISCAL EMERGENCY AND  
CALLING AND GIVING NOTICE OF A SPECIAL  
MUNICIPAL ELECTION TO BE HELD NOVEMBER 4, 2008  
TO SUBMIT TO THE VOTERS OF THE CITY OF EL MONTE  
A QUESTION RELATING TO THE ENACTMENT OF A 0.50%  
GENERAL TRANSACTIONS AND USE TAX

WHEREAS, the budget of the City of El Monte ("City"), like the budgets of municipalities throughout the State of California, has been strained and stressed in recent years by a succession of adverse economic and legislative developments, including the stagnant national economy, a depressed housing market, inflated prices for gas and construction materials, increased costs for municipal services as well as State take-a-ways and regulatory mandates; and

WHEREAS, in response to these ongoing fiscal stresses, City Departments have worked diligently under the City Manager's Office and the City's Finance Division to reduce departmental expenditures and implement strategies for greater cost efficiency; and

WHEREAS, the City has implemented a number of cost-saving measures, including the elimination of or scaling down of certain City programs; the implementation of hiring freezes; the close-out of certain positions vacated through retirement; the reorganization of certain departments to achieve great cost efficiency; the implementation of a consolidated purchasing and public contract bidding system to insure the City receives the best price for services and products purchased; and the refinancing of outstanding debt; and

WHEREAS, budget-cutting alone is not sufficient to address long term issues of fiscal solvency -- not without significantly eroding the City's ability to maintain vital infrastructure and provide essential municipal services and programs; and

WHEREAS, the City, despite significant improvements in its fiscal accountability, is at imminent risk of operating paycheck to paycheck given increased prices for materials and ever increasing service demands -- leaving the City, like many others in California, with inadequate funding to address essential public safety and basic service needs; and

WHEREAS, customary fiscal prudence generally prescribes that municipalities, at an extreme minimum, maintain Working Capital levels equivalent to one month's worth of bills and other routine expenses. For the City of El Monte this means maintaining Working Capital levels of *at least* \$5,000,000, the average sum of the City's monthly operating expenses; and

WHEREAS, customary fiscal prudence also prescribes that municipalities, also at the very minimum, maintain General Funds reserves equivalent to 15% of the City's average annual budget. For the City of El Monte this means maintaining General Fund reserves of at least \$8,500,000; and

WHEREAS, for Fiscal Year 2008-2009 it is *estimated* that the City's General Fund revenues will be approximately \$53.9 million and that the City will have "transfers in" of approximately \$2,787,000, combining for a *projected* sum of \$56.7 million in Total Available Resources for Fiscal Year 2008-2009; and

WHEREAS, the City's anticipated expenditures for Fiscal Year 2008-2009 are approximately \$55.4 million with anticipated "transfers out" of approximately \$1,700,000. Accordingly, the Total Anticipated Resources Needed by the City to maintain operations is approximately \$57.1 million; and

WHEREAS, Total Resources Needed by the City for Fiscal Year 2008-2009 (\$57.1 million) with the City's *projected* Total Available Resources for Fiscal Year 2008-2009 (\$56.7 million), meaning the City's 2008-2009 budget is in deficit by approximately \$400,000; and

WHEREAS, projected revenues and projected liabilities for Fiscal Year 2008-2009 are just that: *projections*, meaning there is no iron-clad guarantee that City revenues will meet current estimates or that City expenditures will remain within current anticipated projections – particularly given current inflationary pressures, the renewed likelihood of further State take-aways from existing revenue sources, as well as the possibility of extraordinary emergencies or other unforeseen events; and

WHEREAS, the failure to meet projections would almost certainly compel more draconian cost cutting measures which would significantly erode the City's ability to deliver basic and essential municipal services: fire and other emergency response services, pothole repair, street and storm drain maintenance, graffiti removal, on-duty police staffing, street lighting, park maintenance, and other general city services just to name a few.

WHEREAS, a local transactions and use tax measure will allow the City to maintain and preserve basic community services and infrastructure obligations during the current economic downturn and will also allow the City to build-up critical operating reserves; and

WHEREAS, the City's fiscal crisis herein describe is of sufficient gravity and severity that the City must at the earliest feasible juncture propose revenue enhancement measures to the electorate in order to maintain, to the extent possible, the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City's residents, workers and visitors;

WHEREAS, pursuant to Section 2(b) of California Constitution Article XIIIIC, the City Council hereby unanimously declares the existence of a fiscal emergency in that there are imminent financial risks and dangers, as described above, to the public welfare and the City's financial ability to provide essential municipal services without disruption or erosion, such that a special election (on November 4, 2008) is necessary to address such risks and dangers *before* the next regularly scheduled municipal election for members of the City Council which will not occur until November 3, 2009.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Monte as follows:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to general law cities and Elections Code Section 9222 and 12001, the City Council hereby orders and calls a special municipal election to be held in the City of El Monte, California on Tuesday, November 4, 2008, this special election to be consolidated with County-administered general election to be held on said date, for the purpose of submitting to the qualified electors a measure seeking approval of an ordinance which establishes a temporary one half of one percent (0.50%) Transactions and Use Tax (a sales tax), Measure A, as hereinafter described and set out.

SECTION 2. Because of the threat to the public health, safety and welfare as set forth in the foregoing recitals, the City Council of the City of El Monte now hereby unanimously finds and declares a fiscal emergency, as the term "emergency" is used in Article XIIIIC, Section 2(b) of the California Constitution, in the City of El Monte justifying the call for a special municipal election for Tuesday, November 4, 2008, in order for the City to propose, and City voters to consider, the adoption of an ordinance which establishes a temporary Transactions and use Tax as authorized by California Revenue and Taxation Code Section 7285.9, intended to address that emergency by ensuring that the City has the resources necessary to preserve the public health, safety, and welfare.

SECTION 3. The measure (to be designated "Measure A") to be placed on the ballot for the special municipal election hereby called shall be printed in the ballots used at said election in substantially the following form:

<b>A</b> <b>Essential City Services Preservation and Protection Measure.</b> To preserve and maintain funding for essential city services, including fire and other emergency response services, pothole repair, street and storm drain maintenance, graffiti removal, on-duty police staffing, street lighting, park maintenance, emergency reserves maintenance and other general city services, shall an ordinance establishing a temporary transactions (sales) and use tax of one-half of one percent (½%) for a period of five years be adopted.	YES
	NO

This question requires the approval of a simple majority of those casting votes.

SECTION 4. The ballots to be used at the election shall be in form and content as required by law.

SECTION 5. The polls shall be open at 7:00 a.m. of the day of the special election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the California Elections Code.

SECTION 6. Under separate resolution, the Board of Supervisors of Los Angeles County shall cause the precincts, polling places and election officers for said election to be established and cause the returns of said election to be canvassed and to certify the same to the City Council of the City of El Monte. The vote requirement for passage of the measure is a majority of the votes cast (50% plus 1).

SECTION 7. The City Council hereby directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall cause to be prepared an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of the primary arguments.

SECTION 8. In all particulars not recited in this resolution, the election hereby called shall be as provided by law for holding municipal elections in the City.


SECTION 9. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED AND ADOPTED this 22nd day of July \_\_\_\_\_, 2008.

\_\_\_\_\_  
 Ernest G. Gutierrez  
 Mayor

ATTEST:

  
 Lorene Gutierrez  
 City Clerk



STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) SS:  
CITY OF EL MONTE               )

I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 8942 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City held on the 22nd day of July, 2008, and that said Resolution was adopted by the following votes to wit:

AYES:           Mayor Gutierrez, Mayor Prp-Tem Gomez, Councilman Barrios and  
                  Councilwoman Ishigaki and Councilwoman Wallach

NOES:           None

ABSTAIN:       None

ABSENT:

  
Lorene Gutierrez  
City Clerk